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QUIRK & TRATOS
3773 HOWARD HUGHES PARKWAY
SUITE 500 NORTH
LAS VEGAS, NV 89109

EXAMINER

BARNES, CRYSTAL J

ART UNIT PAPER NUMBER

2121

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/651,841

Applicant(s)

DUNCAN ET AL.

Examiner

Crystal J. Barnes

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 29 August 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The following is an initial Office Action upon examination of the above-identified application on the merits. Claims 1-26 are pending in this application.

Priority

2. Applicant has complied with the conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119(e).

Information Disclosure Statement

3. The examiner is considering the information disclosure statements (IDS) submitted on 29 August 2003.

Drawings

4. Figures 1 and 17 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference number 205 in figures 2 and 3.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. The disclosure is objected to because of the following informalities: Figure 17 is not mentioned in the detailed description (see page 37 lines 9-19).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-10, 12-14, 16-19 and 21-26 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pub. No. 2002/0183882 A1 to Dearing et al.

As per claim 1, the Dearing et al. reference discloses a system for facilities management, including: a server (see page 3 [0040], "servers 26, 27"); a client ("client, controller") in communication with the server ("servers 26, 27"); a

database ("profile database 30") in communication with the server ("servers 26, 27") and with the client ("client, controller"); and a personality module ("MW enterprise application 29"; see page 3 [0045], "products", and [0047], "reader 47") in communication with the server ("servers 26, 27"), with the client ("client, controller"), and with a field device (see page 3 [0045], "MW 36").

As per claim 2, the Dearing et al. reference discloses the client (see page 4 [0049], "client controller 45") includes a user interface ("GUI") designed to receive customization information ("interaction") from a user ("users") that determines system operation ("system 25").

As per claim 3, the Dearing et al. reference discloses the client the client (see page 4 [0049], "client controller 45") includes a user interface ("GUI"), the user interface ("GUI") designed to receive customization information ("interaction") from a user ("users"), the customization information ("interaction") including portals (see page 3 [0045], "portals") and system configuration ("mechanisms to restrict access") information.

As per claim 4, the Dearing et al. reference discloses furthering including: an enclosure (see page 3 [0040], "hardware" and [0045], "MW 36"), wherein the

personality module ("MW enterprise application 29"; see page 3 [0045], "products", and [0047], "reader 47") is housed in the enclosure ("hardware, MW 36").

As per claim 5, the Dearing et al. reference discloses further including: an enclosure (see page 3 [0040], "hardware" and [0045], "MW 36"); a plurality of personality modules ("MW enterprise application 29"; see page 3 [0045], "products", and [0047], "reader 47"); wherein the plurality of personality modules ("MW enterprise application 29, products, reader 47") are housed in the enclosure ("hardware, MW 36").

As per claim 6, the Dearing et al. reference discloses the personality module ("MW enterprise application 29"; see page 3 [0045], "products", and [0047], "reader 47") is modular and is selected from a plurality of personality module types ("MW enterprise application 29, products, reader 47"), each type having a distinct set of characteristics defining personality module functionality ("MW enterprise application 29, products, reader 47").

As per claim 7, the Dearing et al. reference discloses the plurality of personality module types ("MW enterprise application 29, products, reader 47") includes a reader module ("reader 47") and I/O module (see page 3 [0047], "temperature sensors 55, 56").

As per claim 8, the Dearing et al. reference discloses upon installation the personality module ("MW enterprise application 29, products, reader 47") automatically receives an IP address (see page 3 [0040], "TCP/IP").

As per claim 9, the Dearing et al. reference discloses the personality module ("MW enterprise application 29") includes an operating system (see page 3 [0040], "operating system").

As per claim 10, the Dearing et al. reference discloses the personality module ("MW enterprise application 29") includes a software application designed to communicate directly with a third-party system (see page 3 [0044], "manufacturing infrastructure and marketing, customer relation management, billing, other systems").

As per claim 12, the Dearing et al. reference discloses the personality module ("MW enterprise application 29") operates autonomously (see page 3 [0041], "administration of badges or keys") from the server ("servers 26, 27").

As per claim 13, the Dearing et al. reference discloses the personality module (see page 6 [0060], "ERP system 124, web ordering system 126, passkey administration system 128, MW administration system 130") stores all information required to autonomously perform facilities management functions ("assign RF tags

95 to selected products or lots of products; assign identities to each MW 36; handle inventory planning; handle re-supplying of MWs; handle sales orders, process customer order inquiries; inventory inquiries; passkey updates; and purchase order updates").

As per claim 14, the Dearing et al. reference discloses further including: an enclosure (see page 3 [0047], "MW 36"), wherein the personality module ("temperature sensors 55, 56, products, reader 47, optional input devices") is housed in the enclosure ("MW 36"); and a display module (see page 3 [0046], "display screen") is housed in the enclosure ("MW 36").

As per claim 16, the Dearing et al. reference discloses the display module ("display screen") includes a user interface (see page 4 [0049], "GUI") to be displayed on a display screen ("display screen"), the user interface ("GUI") designed to interact ("interaction") with the personality module ("temperature sensors 55, 56, products, reader 47, optional input devices").

As per claim 17, the Dearing et al. reference discloses a system for facilities management, including: a server (see page 3 [0040], "servers 26, 27"); a client ("client, controller") in communication with the server ("servers 26, 27"); a database ("profile database 30") in communication with the server ("servers 26,

27") and with the client ("client, controller"); and an enclosure (see page 3 [0040], "hardware" and [0045], "MW 36") in communication with the server ("servers 26, 27"), with the client ("client, controller"), and with a field device (see page 3 [0045], "MW 36") wherein the enclosure ("hardware, MW 36") is capable of housing at least one modular personality module ("MW enterprise application 29"; see page 3 [0045], "products", and [0047], "reader 47") selected from a plurality of personality module types ("MW enterprise application 29, products, reader 47"), each type having a distinct set of characteristics defining personality module functionality ("MW enterprise application 29, products, reader 47").

As per claim 18, the Dearing et al. reference discloses the plurality of personality module types ("MW enterprise application 29, products, reader 47") includes a reader module ("reader 47") and I/O module (see page 3 [0047], "temperature sensors 55, 56").

As per claim 19, the Dearing et al. reference discloses upon installation the personality module ("MW enterprise application 29, products, reader 47") automatically receives an IP address (see page 3 [0040], "TCP/IP").

As per claim 21, the Dearing et al. reference discloses the personality module ("MW enterprise application 29") operates autonomously (see page 3 [0041], "administration of badges or keys") from the server ("servers 26, 27").

As per claim 22, the Dearing et al. reference discloses further including: a display module (see page 3 [0046], "display screen") housed in the enclosure ("hardware, MW 36"), the display module ("display screen") includes a user interface (see page 4 [0049], "GUI") to be displayed on a display screen ("display screen"), the user interface ("GUI") designed to interact ("interaction") with the personality module ("temperature sensors 55, 56, products, reader 47, optional input devices").

As per claim 23, the Dearing et al. reference discloses an apparatus for use in a facilities management system that includes a server, the apparatus comprising: an enclosure (see page 3 [0045], "MW 36"); a plurality of personality modules (see page 3 [0047], "reader 47, temperature sensors 55, 56" and page 5 [0054], "products 80, individual items 90") housed in the enclosure ("MW 36"); wherein the personality modules ("reader 47, temperature sensors 55, 56, products 80, individual items 90") are modular; and wherein each personality module ("reader 47, temperature sensors 55, 56, products 80, individual items 90") is selected from a

plurality of personality modules types ("reader 47, temperature sensors 55, 56, products 80, individual items 90"), each type having a distinct set of characteristics defining personality module functionality ("reader 47, temperature sensors 55, 56, products 80, individual items 90"); and wherein each personality module is independently addressable (see page 3 [0040], "TCP/IP" and page 4 [0052], "identification tag 95").

As per claim 24, the Dearing et al. reference discloses each personality module ("reader 47, temperature sensors 55, 56, products 80, individual items 90") is dynamically swappable with another type of personality module (see page 5 [0055], "smartcard, magnetic card swipe device, barcode device, fingerprint reader" and page 7 [0069], "biometric device 404, reader 408").

As per claim 25, the Dearing et al. reference discloses the Dearing et al. reference discloses the personality module ("MW enterprise application 29") operates autonomously (see page 3 [0041], "administration of badges or keys") from a server ("servers 26, 27").

As per claim 26, the Dearing et al. reference discloses the enclosure ("hardware, MW 36") further houses a display module (see page 3 [0046], "display screen"), wherein a user interface (see page 4 [0049], "GUI") is to be displayed

with the display module ("display screen"), the user interface ("GUI") for interacting ("interaction") with the personality modules ("temperature sensors 55, 56, products, reader 47, optional input devices") housed in the enclosure.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 11, 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pub. No. 2002/0183882 A1 to Dearing et al. in view of logical reasoning.

As per claim 11, the Dearing et al. reference discloses a plurality of enclosures (see page 3 [0040], "hardware" and [0045], "MW 36"), wherein each enclosure ("hardware, MW 36") is capable of housing a plurality of personality modules ("MW enterprise application 29"; see page 3 [0045], "products", and [0047], "reader 47"); wherein personality modules ("MW enterprise application 29,

products, reader 47") can be dynamically removed from or added to (see page 5 [0056], "missing or added") an enclosure ("hardware, MW 36") while the system is in operation; wherein enclosures can be dynamically removed from or added to the system while the system is in operation.

The Dearing et al. reference does not expressly disclose enclosures can be dynamically removed from or added to the system while the system is in operation.

However, it would have been logically to one of ordinary skill in the art to modify inventory functions to maintain inventory of storage containers in addition to inventory of the products stored in the storage containers.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the inventory functions of the commerce engine taught by the Dearing et al. reference to maintain inventory of storage containers in addition to inventory of the products stored in the storage containers.

One of ordinary skill in the art would have been motivated to modify the commerce engine to maintain inventory of storage containers in addition to inventory of the products stored in the storage containers to facilitate monitoring

and maintaining health/maintenance of micro-warehouses by adding and/or removing micro-warehouses when necessary.

As per claim 20, the rejection of claim 11 is incorporated and further claim 20 contains limitations recited in claim 11; therefore claim 20 is rejected under the same rationale as claim 11.

As per claim 15, the Dearing et al. reference does not expressly disclose the display module includes an LCD touchscreen.

However, it would have been logically to one of ordinary skill in the art to modify a display screen with a touchscreen in an environment with little or minimum space for a user interface.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the display screen taught by Dearing et al. with an LCD touchscreen as the input or I/O device.

One of ordinary skill in the art would have been motivated to modify the display module with the LCD touchscreen as the input or I/O device to facilitate input/output in an environment with little or minimum space for a user interface.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to user interfaces in general:

USPN 6,327,628 B1 to Anuff et al.

USPN 5,905,908 to Wagner

US Pub. No. 2004/0129787 A1 to Saito et al.

US Pub. No. 2003/0115148 A1 to Takhar

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CJB

14 April 2005